

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Bernd PENTH et al

SERIAL NO: NEW APPLICATION

FILED: HEREWITH

FOR: PERMEABLE COMPOSITE MATERIAL, METHOD FOR PRODUCING SAID COMPOSITE MATERIAL,  
AND USE OF THE SAMEJC997 U.S. PTO  
09/941587  
08/30/01

## REQUEST FOR PRIORITY

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

SIR:

- ☒ Full benefit of the filing date of U.S. Application Serial Number 09/308,219, filed August 13, 1999, is claimed pursuant to the provisions of **35 U.S.C. §120**.
- ☐ Full benefit of the filing date of U.S. Provisional Application Serial Number , filed , is claimed pursuant to the provisions of **35 U.S.C. §119(e)**.
- ☒ Applicants claim any right to priority from any earlier filed applications to which they may be entitled pursuant to the provisions of **35 U.S.C. §119**, as noted below.

In the matter of the above-identified application for patent, notice is hereby given that the applicants claim as priority:

<u>COUNTRY</u>	<u>APPLICATION NUMBER</u>	<u>MONTH/DAY/YEAR</u>
WIPO	PCT/EP98/05939	September 18, 1998
GERMANY	197 41 498.2	September 20, 1997
GERMANY	198 11 708.6	March 18, 1998
GERMANY	198 12 035.4	March 19, 1998
GERMANY	198 20 580.5	May 8, 1998
GERMANY	198 24 666.8	June 3, 1998

Certified copies of the corresponding Convention Application(s)

- ☐ are submitted herewith
- ☐ will be submitted prior to payment of the Final Fee
- ☐ were filed in prior application Serial No. filed
- ☒ were submitted to the International Bureau in PCT Application Number .  
Receipt of the certified copies by the International Bureau in a timely manner under PCT Rule 17.1(a) has been acknowledged as evidenced by the attached PCT/IB/304.
- ☐ (A) Application Serial No.(s) were filed in prior application Serial No. filed ; and  
(B) Application Serial No.(s)
- ☐ are submitted herewith
- ☐ will be submitted prior to payment of the Final Fee

**22850**Tel. (703) 413-3000  
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(OSMMN 10/98)

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

Norman F. Oblon  
Registration No. 24,618Harris A. Pitlick  
Registration No. 38,779

08/30/01

UTILITY  
PATENT APPLICATION  
TRANSMITTAL

For new nonprovisional applications under 37 CFR 1.53(b)

Attorney Docket No.

212981US0XDIV

First Inventor or Application Identifier

Bernd P

Title

PERMEABLE COMPOSITE MATERIAL, METHOD FOR PRODUCING SAID  
COMPOSITE MATERIAL, AND USE OF THE SAMEAssignee Name: CREAVIS GESELLSCHAFT FUER TECHNOLOGIE UND  
INNOVATION MBH

Assignee Address: Paul-Baumann-Strasse 1, D-45772 Marl, Fed Rep GERMANY

APPLICATION ELEMENTS  
See MPEP chapter 600 concerning utility patent application contentsADDRESS TO: Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

1. ☒ Fee Transmittal Form (e.g. PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2. ☒ Specification Total Sheets **31**
3. ☐ Formal Drawing(s)  
(35 U.S.C. 113) Total Sheets **0**
4. ☒ Oath or Declaration Total Pages **3**
- a. ☐ Newly executed (original or copy)
- b. ☒ Copy from a prior application (37 C.F.R. §1.63(d))  
(for continuation / divisional w/ box 17 completed)
- i. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) named in  
the prior application, see 37 C.F.R. §1.63(d)(2) and  
1.33(b).
5. ☐ CD-ROM or CD-R in duplicate, large table or Computer  
Program (Appendix)
6. ☐ Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)
- a. ☐ Computer Readable Form (CRF)
- b. Specification or Sequence Listing on:
- i. ☐ CD-ROM or CD-R (2 copies); or
- ii. ☐ Paper
- c. ☐ Statements verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

7. ☐ Assignment Papers (cover sheet & document(s))
8. ☒ Application Data Sheet. See 37 CFR 1.76
9. ☐ 37 C.F.R. §3.73(b) Statement ☐ Power of Attorney  
(when there is an assignee)
10. ☐ English Translation Document (if applicable)
11. ☒ Information Disclosure  
Statement (IDS)/PTO-1449 ☒ Copies of IDS  
Citations
12. ☒ Preliminary Amendment (with marked-up copy)
13. ☒ White Advance Serial No. Postcard
14. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
15. ☐ Applicant claims small entity status.  
See 37 CFR 1.27
16. ☒ Other: Request for Priority  
PTO/IB/304

The PTO did not receive the following  
listed item(s) 31 p of Specification

## 17. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below:

☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP) of prior application no.: 09/308,219  
Prior application information: Examiner: A. Fortuna Group Art Unit: 1723

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is  
considered a part of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon  
when a portion has been inadvertently omitted from the submitted application parts.

## 18. Amend the specification by inserting before the first line the sentence:

- ☒ This application is a ☐ Continuation ☒ Division ☐ Continuation-in-part (CIP)  
of application Serial No. 09/308,219 Filed on August 13, 1999, now allowed, which was originally filed as  
International Application No. PCT/EP98/05939, filed September  
19, 1998.
- ☐ Which was published in English
- ☐ Which was not published in English
- ☐ This application claims priority of provisional application Serial No. Filed

## 19. CORRESPONDENCE ADDRESS



22850

(703) 413-3000

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Name:	Norman F. Oblon	Registration No.:	24,618
Signature:		Date:	Aug 30, 2001
Name:	Harris A. Pitlick	Registration No.:	38,779

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTOR(S) Bernd PENTH et al

SERIAL NO: New Application

FILING DATE: Herewith

FOR: PERMEABLE COMPOSITE MATERIAL, METHOD FOR PRODUCING SAID COMPOSITE MATERIAL  
AND USE OF THE SAME

## FEE TRANSMITTAL

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

FOR	NUMBER FILED	NUMBER EXTRA	RATE	CALCULATIONS
TOTAL CLAIMS	40 - 20 =	20	× \$18 =	\$360.00
INDEPENDENT CLAIMS	1 - 3 =	0	× \$80 =	\$0.00
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS (If applicable)			+ \$270 =	\$0.00
<input type="checkbox"/> LATE FILING OF DECLARATION			+ \$130 =	\$0.00
BASIC FEE				\$710.00
TOTAL OF ABOVE CALCULATIONS				\$1,070.00
<input type="checkbox"/> REDUCTION BY 50% FOR FILING BY SMALL ENTITY				\$0.00
<input type="checkbox"/> FILING IN NON-ENGLISH LANGUAGE			+ \$130 =	\$0.00
<input type="checkbox"/> RECORDATION OF ASSIGNMENT			+ \$40 =	\$0.00
TOTAL				\$1,070.00

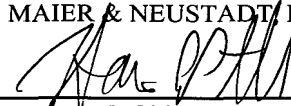
Please charge Deposit Account No. 15-0030 in the amount of

A duplicate copy of this sheet is enclosed.

A check in the amount of **\$1,070.00** to cover the filing fee is enclosed.

The Commissioner is hereby authorized to charge any additional fees which may be required for the papers being filed herewith and for which no check is enclosed herewith, or credit any overpayment to Deposit Account No. 15-0030.  
A duplicate copy of this sheet is enclosed.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.


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Registration No. 24,618

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Date: Aug 30, 2001**22850**Tel. (703) 413-3000  
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